

VOID

The City of Oklahoma City
Office of City Clerk
200 North Walker Ave.
Oklahoma City, Oklahoma 73102

PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT the Trustees of the **OKLAHOMA CITY AIRPORT TRUST**, a public trust created and established for the use and benefit of the City of Oklahoma, Oklahoma, under the laws of the State of Oklahoma, its successors, and assigns (“Grantor”) for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration including in-kind benefits for the development of airport property, receipt of which is hereby acknowledged, does hereby grant and convey unto **THE CITY OF OKLAHOMA CITY**, a municipal corporation, (“Grantee”) a Permanent Easement over, under, across, through and to the following described property situated in Oklahoma County, Oklahoma, to wit:

See Attachment “A” (Subject Property)

for the use of the Grantee for the purpose of constructing, operating, maintaining, repairing, expanding, and replacing a fire hydrant and associated facilities, connections, utilities, and appurtenances thereto (collectively “Fire Hydrant System”) and including the right of ingress and egress through Grantor’s property to and from the Subject Property, and all right, title and interest in and to any soil, earthen material, fixture, and appurtenances within the boundaries of the Subject Property incidentally removed during the use of this Permanent Easement.

Said easement shall be perpetual and non-exclusive to Grantee and shall run together with and be appurtenant to the land described above. The City of Oklahoma City utilities shall be subject to the provisions of Attachment “B” attached hereto and incorporated herein.

Dated this ____ day of _____, 2023.

ATTEST:

OKLAHOMA CITY AIRPORT TRUST

Secretary

By: _____
Chairman

STATE OF OKLAHOMA, COUNTY OF _____, SS.

This instrument was acknowledged before me on this ____ day of _____, 2023 by _____, Chairman of the OKLAHOMA CITY AIRPORT TRUST, a public trust, on behalf of the trust.

My Commission Expires: _____

Notary Public

My Commission No. _____

ACCEPTED by The City of Oklahoma City this ____ day of _____, 2023.

City Clerk

REVIEWED for form and legality.

Hailey Rawson

Assistant Municipal Counselor

Attachment "A"

Legal Description

A tract of land in the Southwest Quarter (SW/4) of Section Twenty Two (22), Township Eleven (11) North Range Four (4) West, of the Indian Base and Meridian, Canadian County, Oklahoma, being more particularly described as follows:

Commencing at the Southwest corner of said Southwest Quarter (SW/4);

Thence N 00°02'34" W a distance of 721.76 feet;

Thence N 89°57'26" E a distance of 1523.29 feet to the **Point of Beginning**.

Thence N 00°02'34" W a distance of 12.50 feet;

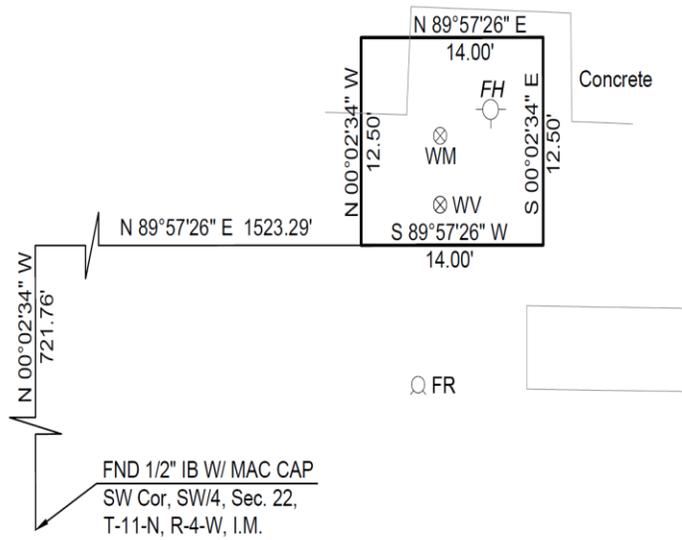
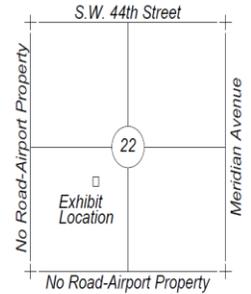
Thence N 89°57'26" E a distance of 14.00 feet;

Thence S 00°02'34" E a distance of 12.50 feet;

Thence S 89°57'26" W a distance of 14.00 feet to the **Point of Beginning**.

This description has an area of 175.00 Square Feet or 0.004 Acres more or less.

Attachment "A" (Continued)



FND 1/2" IB W/ MAC CAP
SW Cor, SW/4, Sec. 22,
T-11-N, R-4-W, I.M.



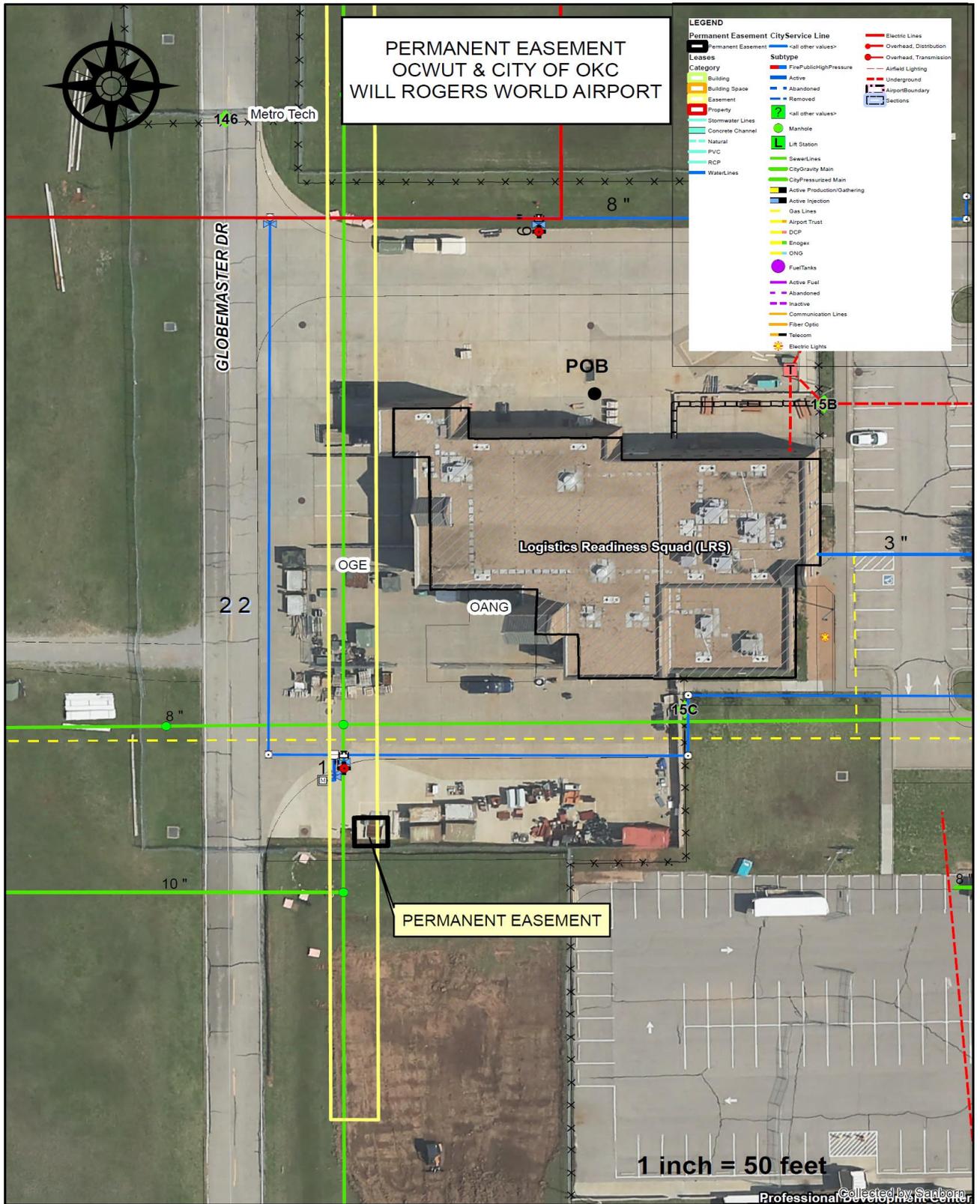
Scale : 1" = 10'

MacArthur
Associated Consultants
25 N.W. 146th Street - Edmond, OK 73013 - 405.848.2471
C.O.A. No. 699 Renewal Date: 06-30-23

Will Rogers Air National Guard Water Easement

Exhibit

Attachment "A" (Continued)



Attachment “B”

ARTICLE 1 – GENERAL CIVIL RIGHTS PROVISIONS

The Grantee agrees to comply with pertinent statutes, Executive Orders and such rules as are promulgated to ensure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participating in any activity conducted with or benefiting from Federal assistance. If the Grantee transfers its obligation to another, the transferee is obligated in the same manner as the Grantee.

This provision also obligates the Grantee for the period during which the property is owned, used or possessed by the Grantee and the airport remains obligated to the Federal Aviation Administration. This provision is in addition to that required by Title VI of the Civil Rights Act of 1964.

ARTICLE 2 – TITLE VI LIST OF PERTINENT NONDISCRIMINATION ACTS AND AUTHORITIES

During the performance of this Agreement, the Lessee, for itself, its assignee, and successor in interest agrees to comply with the following non-discrimination statutes and authorities including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 CFR Part 21 (Nondiscrimination in Federally-Assisted Programs of The Department of Transportation—Effectuation of Title VI of The Civil Rights Act of 1964);
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27 (Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 U.S.C. § 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-259), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and Contractors, whether such programs or activities are Federally funded or not);

- Titles II and III of the Americans with Disabilities Act of 1990 (42 USC § 12101, *et seq.*), which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 CFR Parts 37 and 38;
- The Federal Aviation Administration’s Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations);
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 (2005));
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

**ARTICLE 3 – TITLE VI CLAUSES FOR THE TRANSFER OF OR
CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED OR IMPROVED
UNDER THE AIRPORT IMPROVEMENT PROGRAM**

The following clauses will be included in deeds, licenses, leases, permits or similar instruments entered into by the Grantor pursuant to the provisions of the Airport Improvement Program grant assurances.

3.01 Property Acquired or Improved Under Airport Improvement Program

The following clause will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Lessor pursuant to the provisions of the Airport Improvement Program grant assurances.

The Lessee for itself, its heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that in the event facilities are constructed, maintained, or otherwise operated on the property described in this Agreement for a purpose for which a Federal Aviation Administration activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the Lessee will maintain and operate such facilities and services in compliance with all requirements imposed by the Nondiscrimination Acts and Regulations listed in the Title VI List of Pertinent Nondiscrimination Acts and Authorities (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

3.02 Construction/Use/Access to Property Under Activity, Facility, or Program

The following clause will be included in deeds, licenses, permits, or similar instruments entered into by the Lessor pursuant to the provisions of the Airport Improvement Program grant assurances.

The Lessee for itself, its heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that: (a) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities; (b) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; and (c) that the Lessee will use the premises in compliance with all other requirements imposed by or pursuant to the Title VI List of Pertinent Nondiscrimination Acts and Authorities.